

Douglas A. Sears, Esq. (SBN 48646)  
Matheny Sears Linkert & Jaime, LLP  
3638 American River Dr.  
Sacramento, CA 95864-5901  
Telephone: 916.978.3434  
Facsimile: 916.978.3430  
[dsears@mathenysears.com](mailto:dsears@mathenysears.com)

Daniel J. Scully, Esq.  
Clark Hill, PLC  
500 Woodward Avenue, Suite 3500  
Detroit, MI 48226-3435  
Telephone: 313.965.8300  
Facsimile: 313.965.8252  
[dscully@clarkhill.com](mailto:dscully@clarkhill.com)

George J. Stephan, Esq. (SBN 67692)  
Buchalter Nemer  
1000 Wilshire Boulevard, Suite 1500  
Los Angeles, CA 90017-2457  
Telephone: 213.891.0700  
Facsimile: 213.630.5629  
[gstephan@buchalter.com](mailto:gstephan@buchalter.com)

Jeffrey F. Peck, Esq.  
Ulmer & Berne LLP  
600 Vine Street, Suite 2800  
Cincinnati, OH 45202  
Telephone: 513.698.5010  
Facsimile: 513.698.5011  
[jpeck@ulmer.com](mailto:jpeck@ulmer.com)

Attorneys for Defendant Crown Equipment Corporation  
dba Crown Lift Trucks

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

CYNTHIA MAHON and GARY  
MARKLEY,

Plaintiffs,

v.

CROWN EQUIPMENT  
CORPORATION, dba CROWN LIFT  
TRUCKS, and DOES 1 through 50,  
inclusive.

Defendants.

Case No. 2:03-cv-1763 MCE DAD

The Hon. Morrison C. England, Jr.

STIPULATION AND ORDER  
REGARDING FINAL PRETRIAL  
CONFERENCE DEADLINES

1 IT IS HEREBY STIPULATED by and between the parties, through their respective  
2 attorneys of record, in accordance with Local Rule 83-143, as follows:

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4 1. On September 9, 2009, the Court entered an Order upon the Stipulation of the  
5 parties continuing the Final Pretrial Conference from December 3, 2009, to December 10, 2009,  
6 beginning at 2:00 p.m. On September 15, 2009, the Court entered an Order continuing the trial  
7 date from January 19, 2010, to January 25, 2010.

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9 2. When the Final Pretrial Conference was continued to December 10, 2009, the  
10 parties inadvertently did not request the Court to move the corresponding deadlines for submission  
11 of the Joint Final Pretrial Statement, trial briefs, witness lists, exhibit lists, evidentiary and  
12 procedural motions or the deadlines for the oppositions and replies with respect to the evidentiary  
13 and procedural motions. Those deadlines were established based on the Final Pretrial Conference  
14 date of December 3, 2009.

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16 3. The parties respectfully request that the deadlines for submission of the Joint Final  
17 Pretrial Statement, trial briefs, witness lists, exhibit lists, evidentiary and procedural motions be  
18 continued from November 5, 2009, to November 13, 2009. The parties respectfully submit that  
19 the continuance of the deadlines will better allow them to prepare their submissions for the Court's  
20 consideration. The parties also note that the new date requested will essentially conform the  
21 timing of the submissions relative to the date of the Final Pretrial Conference to what it was under  
22 the original schedule. The parties are requesting Friday November 13, 2009, as the submission  
23 date rather than Thursday, November 12, 2009, because the seven day intervals for oppositions  
24 and replies based off November 12, 2009, would place the due date for replies on Thanksgiving  
25 Day. Using November 13, 2009, as the submission date would place the due date for replies on  
26 November 27, 2009.  
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5. Therefore, the parties stipulate and propose the deadlines for submission of the Joint Final Pretrial Statement, trial briefs, witness lists, exhibit lists, evidentiary and procedural motions and that the deadlines for the oppositions and replies with respect to the evidentiary and procedural motions be scheduled as follows:

- IT IS FURTHER STIPULATED that this Stipulation may be signed in counterparts and that a signature by facsimile shall be deemed counsel's original signature.

DATED: \_\_\_\_\_ ULMER & BERNE LLP

Case No. CIV 2-03-1763 MCE DAD  
Stipulation and Order Regarding Final Pretrial  
Conference Deadlines

1 DATED: \_\_\_\_\_ HULBERT & BUNN, LLP


2  
3 By: \_\_\_\_\_  
4 Benjamin C. Bunn  
5 Attorneys for Plaintiffs

6 **ORDER**

7 **GOOD CAUSE APPEARING THEREFOR,**

8 **IT IS HEREBY ORDERED** that the above Stipulation between all parties is hereby  
9 approved and the new dates shall be as set forth in accordance with the above stipulation between  
10 the parties.  
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12 DATED: NOVEMBER 4, 2009

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14 MORRISON C. ENGLAND, JR.  
15 UNITED STATES DISTRICT JUDGE  
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